

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

5171 CAMPBELLS LAND CO., INC.

Debtor.

)
) Chapter 11
) Case No. 19-22715-CMB
) Related to Doc. No. 72
)

AMENDMENTS TO REVISED STIPULATION AND CONSENT ORDER

AND NOW come 5171 Campbells Land Co., Inc. (“Debtor”) and Perkins & Marie Callender’s, LLC (“PMC” and together with Debtor, the “Parties”), by and through their counsel, and file this Amendment to Revised Stipulation and Consent Order (the “Amendments”) as follows:

BACKGROUND

1. On July 19, 2019, the Parties filed, and this Court approved, that certain Revised Stipulation and Consent Order (the “Stipulation,” Doc. No. 72).
2. The Stipulation provided, among other things, that any objections to the Stipulation were required to be filed by July 29, 2019. No objections were filed.
3. At a hearing on July 31, 2019, the Parties announced certain proposed amendments to the Stipulation which amendments are outlined herein.

AMENDMENTS

4. Paragraph 18 of the Stipulation is deleted and replaced with the following new Paragraph 18:

18. In connection with this closing, Debtor signed twenty-eight (28) License Agreements (one “License Agreement” and collectively with all attachments, addendums and amendments, “License Agreements”) with

PMC for non-exclusive licenses to operate twenty-eight (28) Perkins franchise units in Ohio, Pennsylvania, and New York.

5. The first sentence of Paragraph 20 is amended by adding to the list Store No. 3456 located in Edinboro, Pennsylvania.

6. Paragraph 49 of the Stipulation is deleted and replaced with the following new Paragraph 49:

49. With regard to Store Numbers: 3383, 3388, 3448, 3573, 3730, 3731, 3844, listed on page 4 herein (the “De-Commissioned Restaurants”), Debtor shall certify in writing to PMC, on or before August 5, 2019, that it has fully complied with the TRO.

7. Paragraph 51 of the Stipulation is deleted and replaced with the following new Paragraph 51.

51. Pursuant to a temporary license, Debtor shall be entitled to operate the Restaurants other than the De-Commissioned Restaurants (the “Remaining Restaurants”) until the earlier of (a) the date(s) when PMC enters into a new license agreement with third party licensee(s) and (b) August 31, 2019 (the “Termination Date”).

8. Except as specifically amended herein, all other terms of the Stipulation shall remain in full force and effect.

NOTICE

9. UPON ISSUANCE OF THIS ORDER APPROVING THE AMENDMENTS, DEBTOR SHALL IMMEDIATELY SERVE A COPY OF THE AMENDMENTS ON THE MAILING MATRIX. ALL OBJECTIONS TO THE AMENDMENTS MUST BE FILED ON OR BEFORE AUGUST 6, 2019, AT 12:00 PM EDT. IF ANY OBJECTIONS ARE TIMELY FILED, THE COURT WILL ADDRESS THOSE OBJECTIONS AT A HEARING ON AUGUST 7, 2019 AT 10:00 AM EDT. IN THE EVENT THAT NO OBJECTIONS ARE TIMELY FILED, THIS ORDER APPROVING THE AMENDMENTS SHALL BECOME FINAL.

SO ORDERED this ____ day of _____, 2019.

BY THE COURT

Carlota Böhm
Chief Bankruptcy Judge

[CONSENTS ON FOLLOWING PAGE]

Consented to this 1st day of August, 2019.

s/ Robert O. Lampl

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